

## Annotated Code of Maryland

(As enacted by Chapter 10 (S.B. 1) of the Acts of the General Assembly of 2001)

BY adding to

Article – Criminal Procedure

Section 4-202.1

Annotated Code of Maryland

(As enacted by Chapter 10 (S.B. 1) of the Acts of the General Assembly of 2001)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – Criminal Procedure**

4-202.

(a) (1) In this section the following words have the meanings indicated.

(2) "Victim" has the meaning stated in § 11-104 of this article.

(3) "Victim's representative" has the meaning stated in § 11-104 of this article.

(b) Except as provided in subsection (c) of this section, a court exercising CRIMINAL jurisdiction in a case involving a child may transfer the case to the juvenile court if:

(1) the accused child was at least 14 but not 18 years of age when the alleged crime was committed;

(2) the alleged crime is excluded from the jurisdiction of the juvenile court under § 3-804(e)(1), (4), or (5) of the Courts Article; and

(3) the court believes that a transfer of its jurisdiction is in the interest of the child or society.

(c) The court may not transfer a case to the juvenile court under subsection (b) of this section if:

(1) the child previously has been transferred to juvenile court and adjudicated delinquent;

(2) the child was convicted in an unrelated case excluded from the jurisdiction of the juvenile court under § 3-804(e)(1) or (4) of the Courts Article; or

(3) the alleged crime is murder in the first degree and the accused child was 16 or 17 years of age when the alleged crime was committed.

(d) In determining whether to transfer jurisdiction under this section, the court shall consider:

(1) the age of the child;